than for many years past, and in Nacogdoches Co. OATS, about Painesville will not be very

avy; about Richmond, the crop is almost a failure out Nacogdoches is exceedingly fine and profuse. POTATOES about Fishkill are destined aparently to be few, owing to the extensive ravages of a ong dark insect known there as the Potatoe Bog.-Potatoes near Painsville are suffering for want in Belfast, Me., there is no appearance of the potato rot this season, and hopes of an abundant burvest are entertained. From Texas the accounts of this valuable ir Painsville are suffering for want of rain

culant are encouraging.
COTTON.—The Mobile Tribune talks of the plant as small and backward, but near Houston. Texas, it is growing remarkably luxuriant.

#### MAIL GLEANINGS.

THE TEHUANTEPEC GRANTS .- The Louisville Times has an article on this subject, in which the following facts, the editor says, has

never been made public : It will be remembered that Commodore Porter, of our navy, engaged in the service of Mexico during her revolution against Spain, and continued in her navy cut the close of the struggle. After the war was closed, Mexico offered him a grant of land as the roward for his valuable services, and gave him the selection of it—He selected the region lying about the Gulf-side terminus of the present proposed Tebusabepee route, which his segacity, even at that early day, taught him would be hevitably demanded by the commerce of the world.—Com. Porter possessed himself of, and preserved, deposited in an iron box, well secured, the evidences of this grant, and at his death bequeathed them to his son, Lt Porter now of our navy. This box, a tew days after the death of Com. Porter in Washington City, was found to have been abstracted from the place where he had always kept it, and has never been recovered to this day. But there can be no doubt of the binding force of this grant and its priority to all other grants of the same ground. We presume that the evidences of it are in existence among the archives of the Mexican Government, and we have reason to believe that Colonel Sloo, who has been intimately associated with, and perhaps is an authorized agent of Licut, Forter made this grant the basis of his successful application to the Mexican Government, for the grant which he has obtained. If such a grant as that to Com. Porter is to be found among the recorde of the Mexican Government, and we have no doubt of its existence, it of course nuitifies all subsequent grants at the set takes precedence, and our own Government with It will be remembered that Commodore Porter, of its existence, it of course nutilities all subsequent grants and takes precedence, and our own Government with the proofs of it presented, would of course be compelled the proofs of it presented, would of course be compelled to withdraw from insisting upon the Garay or Hargous

We learn from The Chattanooga Adretiser that a new Cave was discovered a few days since by Mr. Foster, while exploring for water for the use of thehands employed in gracing the turnolice in process of construction up the Mountain. This cave has as yet only been partially explored; but it promises to be of more interest even than the old "Laokout Cave," so more interest even than the old "Lookout Cave," so well known to Summer tourists. So far as already explored, it is found to be much larger than the old exve, and there are conclusive evidences of its having been frequented formerly, although none of the present inabitants of Chattanooga were aware of its existence until now. Those who entered it, discovered the name until now. Those who entered it, discovered the name of "W. Goody, 1825," distinctly written on the rock. A pure kind of potier's clay was also found, showing plainly the print of a mattock used in digging it—also beeps of a peculiar kind of stone, evidently broken with a hammer for some purpose, not clearly under-

"Cherokee Cave," (for such is its appropriate designation) is very convenient of access, being distant scarce 100 yards from the old mountain road, and about a quarter of a mile up from the place of begin

ANOTHER VETERAN GONE .- Gen. Benamin Whiteman, a native of Pennsylvania, and an Obio Boncer, died on the latinat, at his residence near Clif-ton, Greene Co., in that State, in the Sath year of his age. He served in the old Indian wars under Harmer, so, Greene Co, in that state, in the Sain year of his age. He served in the old Indian wars under Harmer, and Wayne, and in March 1792, was in a desperate engagement with a party af Redskins headed by Tecumish. He was one of the Commissioners appointed to locate the county seat of Greene county, when Nenia was chosen; and one of the judges of the first court erer held in the county. He was associated with Geneals Gano, Findiay, and others, in first organizing the military system in Ohio. When the war between this country and Great Britain broke out, he was appointed Major General in his division; and having entered General in his civision; and having upon the active duties of his office, he continued to sere his country to the end of the war, and then retired table country residences in the vicinity of Clifton, where he spent the remainder of his days. The Ste. Genevière Plaindealer has

the following:

We extract the following paragraph from a letter which the captain of the Whirlwind kindly handed us.

The date, 25th June:
"Every person that was able to leave Jackson, Missouri, did so, and have not yet returned. Since last Sunday there was not enough lest to bury the dead. Sunday there was not enough lest to bury the dead, some eight or ten lay corpses in different houses several days. The town of Jackson looks like a deserted farm; business of every kind is suspended, and every dwelling house is locked up...

The cause of this disease breaking out is attributed to step ball. It appears the negroes danced late, are pleatifully and drank freely; on the next day, tifteen died.

John Pretlove, of Mobile, had lived by John Pretlove, of Mobile, had fived for years on good terms with his family, but a week since some difficulty occurred, when he procured nitric seld, and by some means induced his wife, Rosalton, as fire build boy of three years, and James Carrell, all to partake. Late on Sandy the husband, the suicide and murderer, ded? On the next morning at 7, the wife too cled? In the afternoon the poor boy followed; and before night closed, James Carrel, siso fell dead on the floor.

AUSTRALIAN WHEAT .- We have before Fence of some Australian wheat sent us by Mr. Almon Bays, of Staron. During the last week we have seen harbert specimens of the grain from his field. They reged from six feet to six feet four inches in hight, we large sends and the grains fully twice as large as 19 we erer saw before. Mr. Hays thinks that in an ulmary seeson a crop of 40 to 50 bushels per acre may be reasonably expected.—[Mansfield (Ohlo) Herald.

General Gabriel Villere, of the parsh of St. Bernard, La., departed this life at his planta-tion on Tuesday, 6th Inst., at the age of 67. His services in the battle of New Orleans were only second to those of the illustrious Jackson.

The old nine-pounder used by Col. region in the defense of Fort Stephenson is now in word, and was brought into service in the last much of July celebration in that city.

The Portland Advertiser speaks of Inshmap, who was seen helping his son, a boy of 10 see, home: the son being so intoxicated as to require chance, and adds: "The brute who would furnish a sild like the with liquor, deserves the asverest punishment, as well as the scorn of every decent man."

In the afternoon, July 7, five buildags in Greensbore' and the adjoining town of Hard-wick, Vt., were struck by lightning and consumed. The buildings were not nor rougher, and the fire was not rousmanleated from one to the other—but there were

IF The State Convention for the revidon of the Constitution of Louislana met at Baton Rouge on the 5th of July. Duncan F. Kenner (Whig) was

TA beautiful specimen of quartz gold valued at \$50, has been stolen from the cabinet of the Mechanics' Association in Bangor, Me., the Hall having

Le The Quincy Market man in Boston are Dodworth's Band an entertainment to other even-agin fercuil Hall.

CITY ITEMS.

LINGS OF THE THERMOMETER AT the s, (formerly Lynch & Clark's) 2515 Wall-st, 6 A.M. Noon. 3 P.M. 6 P.M. 60 72 PRIMENTS, AC., THIS DAY AND EVENING.

Teach Opera: La Poess des Amours; Le Chalet, y Gartes, French Ballet Company; The Dead Shot, the Inster—Donetti's Trained Amush; &c., in Allissem—Cerean Sculpture; Dissolving Viers, &c., "Comparations—Views in Asia Minor. (Day and Evening.) "Man-One Cottage—Concert. [Afternoon.] ORSEQUIES OF HENRY CLAY .- We give,

page, the programme of the Common littee, for the solemn pageant of to-mor w. lathe same connection will be found various ad of societies who have arrangements yet to

Ga Sunday night, there was a meeting at the Broad-of Rose, of the representatives of the old Henry Gas Chief 1844. We have never been present at a strole shadowed forth a great sor did the handful of true hearts who were pre-

Hoe, WHLES HALL, the intimate and devoted personal mented dead, was called to the chair, and add the immented dead, was cared to the day Vice-efallwing Presidents of Clubs were named as Vice-James Kelly, John T. Ailen, Conrad Sweet, Mich Lewis, Charles Turner, Revo C. Hance, N. B. Olcott Rhines, Edward Collin, Wm. Adams, Alley and John T. Dodge and Oliver Holdsn

taking the Chair, Mr. Hall spoke about fifteen min-Mr. CLAY, in a strain of the most heartfelt love

roll, one of the Committee which attended the It Athland, then gave a brief account of the sad through this State, Ohio and Kentucky, detail-cidents of the most interesting and affecting such as the reception of the body by Gov-

Wood, the great turnout in Lexington, the meeting with

Dr. Bacon then offered resolutions proper to the oc ession. The clubs are to meet at the Broadway House at 1 P. M. on Tuesday, and will wear the badges to be previously furnished. They resolve to muster in full force for this "the last March of Henry Clay's Old Guard." Another resolution was passed, for taking steps to erect a monument to Mr. Clay, the Committee for the purpose consisting of P. W. Engs, Dr. Wm. Turner, N. G. Bradford, Wm. M. Stone and D. Francis

All the old banners of the Clubs, some 30 in number will be draped in mourning and displayed from the Erondway House. The Whig and Democratic General Committees will mingle in the procession, and will preceds the regular Clay organizations.

It is especially requested that every member will ap pear in black clothes, and especially black hats, as an old black hat is far more becoming than the newest white one. It is also hoped that the line will march in perfect silence, as loud conversation and laughter is highly inappropriate. We beg to suggest, in addition, that there be no smoking in the line.

Badges may be had by those entitled, to-day and tomorrow, at the large room, Broadway House.

THAT UNFORTUNATE BANNER .-- After a series of most ominous disasters, the Pierce and King dag at Tammany Hall was struck on Saturday night, at the hour when churchyards yawn. In the first attempt to raise it, the old Polk and Dallas tree-almost as rot ten at heart as the party that planted it-gave way, and the new banner fell into the mud. Shortly afterward as if frightened at the awful military portrait of Pierce. which had been put on the Hall, the fastenings gave way, and the banner collspsed like an empty bag. It was again stretched out, a new pole erected and fastened with braces mainly from the south, and now all seemed right, But about the period of Scott's nomination, a rushing breeze from the West-a young tornado of Whig huzzas-made some most envious rents in the doomed canvas. Further repairs were painfully made, and once more the concern was stretched, like Absalom by the hair, between heaven and earth, with a powerful tendency in the latter direction. When news of the proposed Lundy's Lane gathering came, some of the sand bags dropped off to affright, and one of them near ly deprived the party of an old and respectable voter But at last it was announced that Gen. Scorr was coinc to Lundy's Lane, and this was the ounce that broke the camel's back; the very letters seemed to grow pale and faint, all the tempests seemed joined in one and winged with destruction; the possibility of facing the Hero of Chippewa was too much, and after a brief effort to bear up against the decrees of fate, the unlucky canvas gave way, and three or four terrible rents separated Pierce and King into as many parts, while The Union must and shall be preserved," suddenly became "a Union discordant, dissevered," broken into unequal and contending fragments, and vividly por traving the probable condition of the "United De racy " after the November gales. This was the last of the doomed banner, and

"Not a drum was heard, not a funeral note,

THE BROADWAY RAILROAD .- We have made some little inquiry into this new project and find it undertaken in all sincerity by responsible and respectable parties, who really mean what they say. They propose to use no other than straightforwardhonest means to get a charter, preferring to wait for the election of a new Council to the alleged method of successful dealing with this one. We greatly fear they will be obliged to wait, but we shall see. In regard to the road, they propose not to disturb the Russ pavement at all, merely cutting a groove to let in the rails. Perrine would probably give them some trouble, and the old cobble stones would all come up. We shall look further into the matter, and examine the probable utility of the undertaking. There seems to be a determination to ward railroads, and the day may not be far distant when they will thread the City in every direction. Taey cer tainly have all advantage for passengers, and If the real or fancled obstruction of the streets can be obviated they will go shead to the utter exclusion of omulbuses.

TERMINUS OF THE SIXTH-AVENUE RAIL-NOAD .- There is a petition before the Aldermen, from the Directors of this Road, to have the track continued to Vesey-street, near Broadway. It strikes us that the very best place for the terminus would be in Park-place, where there is ample room and absolutely no travel to incommode. Say, run up Murray into Church-street, and so into Park-place. Murray-street is about 36 feet between the curb stones, Vesey only 27; Park-place is more than 50. The main objection to Vesey and Ful ton streets is the immense travel passing through them from the Ferries and Markets, which, if the cars stop there, would be driven to other and more inconvenient places. Barclay would be an Improvement upon Vesey but Park-place is the place of all, Besides a quiet and roomy stopping place, there inight be erected (without light shed, something like that a the Hudson River Road at Chambers-st., for the shelter of cars, horses and passengers from sun and rain. We think the greater convenience and comfort of passen gers at Park-place would more than balance the two blocks further riding; and if the Breadway Road is built, an easy junction may be made where carriages will not interfere. Will the directors consider it?

A GERMAN PUBLIC SCHOOL .- We understand that a large body of the German citizens of Bloom. ingdale have addressed to the Board of Education, a petition for the establishment of a public school in that vicinity, where German children may be instructed by teachers who speak their own language, and are accordingly, able to render easy to them the learning of English and other branches. In the ordinary schools, these children cannot get on at all, and great numbers of them are for that reason, not sent to school. The petition appear to us, right and reasonable, and we hope that its object may be attained.

PORTRAIT OF MEAGHER .- Mr. C. H. Brainard, at Whitehurst's Gallery, No. 349 Broadway, has published a very handsome lithographic portrait of Thomas Francis Meagher. It is copied from a daguerr-

MONTGOMERY GUARD .- This company will celebrate their fifteenth anniversary to-day by an excursion on the East River. Mr. Meagher is expected to accompany them.

NEW ARRANGEMENT .- Willis's Musi-al Times is hereafter to be united with Dyer's Musical World, forming one journal under the editoria care of Richard s. Willis, Esq. We understand that the new arrangements commences with resources which will insure the success and efficiency of the raper. We wish it all manner of prosperity.

Correction .- Messrs. Wood and Putnam, who attended Mr. Clay's remains from this city, say that our correspondent's statements in regard to the defectiveness of the metallic barial case are entirely

THE TENT .- Last evening, Mr. Van Wagner, brought all his forces to bear upon the moderate drinker and the Bible drinker—that peculiar class of drinkers whose stomachs crave a "littlewine" so constantly, that counting the intervals is like counting the bests of the pendulum.

Fire.-About 12 o'clock yesterday noon a fire occurred in the four-story brick building in the rear of No. 235 Bowery, occupied by George Kracht, cabinet-maker. The alarm was immediately given, and the firemen were promptly on the ground, but despite their exertions, the building throughout, with its contents, was considerably damaged. Loss probably \$5,000

The alarm yesterday afternoon for the Sixth District proved to be false.

At 12 o'clock last night a fire broke out in the German liquor store, No. 2514 Spruce-st. The store and basement were well deluged with water. The loss

ACTION FOR MALICIOUS PROSECUTION. -An action for malicious prosecution has been commenced by R. Claggett, Esq., against the parties who recently made an attempt to connect his name with Lond Warrant frauds.

Suicipe.-Shortly after 8 o'clock on Saturday evening an unknown man was seen by Mr. Roome, a Watchman, to jump into the East River at the foot of Twenty-ninth-et. Mr. R. made every effort to rescue him, but without success. The body has not been recovered. On the pier a brown linen coat straw hat, blue cotton handkerchief and pair of footed boots were found. They can be seen at the Eighteenth Ward

ATTEMPT BY A BOY TO COMMIT SUI-CIDE.-A lad, 16 years of age, named Patrick, Mulchywho on Saturday had been committed to prison by Justice Welsh, on complaint of his father-who repre sented that he was a truent and disorderly boy-while in his cell cut his throat with a pocket-knife. A fellow prisoner in the call with him gave the alarm, and Dr. Wells was called in and dressed the wound, after which the boy was taken home by his father. He stated that after being imprisoned he had no wish to live.

ATTEMPT AT SUICIDE .- At 4 o'clock yesterday morning a man named Anthony Shervillewhile in a deranged state of mind, jumped overboard from one of the Williamsburgh ferry boats for the purpose of self-destruction, but was rescued by Officers Smith and Acker, of the Thirteenth Ward Police, and taken to the Station-House.

ACCIDENT CAUSED BY WRESTLING .-A young man, named Philip Alfred, while wrestling with a friend, on Saturday evening, at the corner of Water and Catharine-sts., was thrown to the pavement with great force and had his right leg badly fractured. He was removed to the New York Hospital.

SERIOUS FALL .- Michael Kellum, residing in Thirty-second-st., near Sixth-av., on Saturday evening, fell down a flight of stairs, and was conveyed to the City Hospital, with his collar bone fractured and his shoulder dislocated.

DEATH BY DROWNING .- An inquest was yesterday held at the foot of Harrison-st., N. R., upon the body of Joseph Edgarton, a Scotch sailor, 2: years of age, whose body was on Saturday found in th water at that place. The deceased was a hand en board the ship Endocia, and from the evidence adduced it appears that on Wednesday last he went ashore on a sprey, and after becoming grossly intoxicated, he left to go on board the vessel. It is supposed that while at tempting to get aboard, he fell into the dock and was drowned. A verdict of death by drowning under circumstances unknown to the Jury, was rendered.

Boy Drownen -At shout 4 o'clock yesterday afternoon, a boy, name unknown, fell off the pier adjoining the Houston st. Ferry to Grand st., Wil-lismsburgh, and was drowned. His body had not been recovered up to 816 o'clock last evening. Thirty or forty men were on the pier when he fell off, but not or would go in to rescue him.

Sudden Death .- A colored boy named James Keight, 11 years of age, while upon the corner of Avenue C and Third-st, on Saturday evening, fell senseless to the pavement. He was taken to the Eleventh Ward Station House, where he died almost immediately after. His remains were removed to the house of his parents, No. 119 Ridge-st., where an inquest was held.

DARING HIGHWAY ROBBERY .- A sailor named John Cahill, attached to the brig St. George, ly ing at Pier No. 7 East River, on Saturday night, at a late hour, went ashore, and while passing through Orange st, met a couple of blacks, whom he saked to direct him to a lodging-house. They offered to show him to one, and led him to a den in the same street, where, as he was ascending a flight of stairs, one of them drew a dirk knife from his pocket and threat ened to take his life if he refused to deliver up his money. The other black then thrust his hand into the sailor's pocket and drew out his wallet, containing a \$3 bank note. Fearing lest the robbers would take h life, Cahill cried out "Murder! murder!" when the blacks became frightened and ran down the stairs. Officers Riker and Nealis of the Sixth Ward, had, however, heard the cries of Cahill, and were just at the foot of the stairs in time to arrest the blacks, who were taken by them to the Station house and locked up for the night. Yesterday morning they were brought fore Justice Bogart and committed to prison for trial, in default of \$1,000 ball. Their names are James Full nan and Jacob Romaine.

A Young Beginner .- A lad fifteen years of age, named John Bullivan, whose parents reside at No. 32 Fifth-st, about two weeks since stole \$10 from his father and started off for Canada, but finding that his money would come short he returned and on Saturday helped himself to \$47, which he stole from his father's money-drawer. He then absconded, but was yesterday caught by Capt Flandesu of the Eighteent Ward, with \$14 of the stolen mency in his possessionon after taking the money he purchased a naw sulof clothes, hired a horse, and took a drive on the Third-av. He was taken before Justice Bogart, and committed to prison.

ROBBERY BY FEMALES .- Two young females named Mary Donnelly and Fanny Glipin, were, on Saturday, arrested by Constable Josephs, of the Fourth Ward, charged with stealing a gold watch and some jewelry to the value in all of \$215, the property of Mary Webb, residing at No. 9 Doyer-st. It is allege that one of the accused entered the room of complainant during her absence, with a false key, and stole the property, and that the other was an accomplice of the thief. Both were committed for examination.

ARREST OF A FUGITIVE .- Peter McLane alias McNulty was yesterday arrested by Officer Hogan of the Chief's Office, charged with having, about two years since, stolen Clothing to the value of \$50 from a sailor's boarding house, kept by John McClennan, at No. 157 Cherry-street. The prisoner was found on board the U. S. Ship, North Carolina, lying off the Navy Yard at Brooklyn. Since the commission of the larceny he has been on a cruise in the brig Dolphin. He admitted his guilt and was locked up by Justice Bo-

A FIGHT AMONG ROWDIES .- Between 2 and 3 o'clock, yesterday afternoon, a gang of thieves and Five-Point vagabonds, who are in the habit of congregating in and about a grocery and rum shop on the corner of Anthony and Centre sts., got into a fight near that locality, and soon attracted a large number to the spot, Officers Dowling and McCluskey, of the Sixth Ward, were promptly on the spot and succeeded in arresting two of the ring-leaders, who were taken to the Tombs and locked up. Others would have been arrested, had not the crowd, who seemed anxious to see the fight continue, interfered to prevent the officers from doing their duty. Some bruises and bloody noses were the result of the fight.

DISORDERLY HOUSE KEPT BY A Po-LICEMAN .- Captain Carpenter, of the Fifth Ward yesterday made a complaint against Warren Van Court, a police officer of his Ward, whom he charges with keeping a disorderly house, in Church-street, a resort for prostitutes and other disreputable persons. The accused, together with a woman bamed Barns, was arrested and taken before Justice Rogart, who dismissed the woman, but held Van Court to bail to answer the

OWNERS WANTED-At the Lower Police Court, for 4 pieces of calico, found in possession of one Patrick Farrell, who is supposed to have stolen them. Inquire of Mr. Johnson, Clerk.

ARREST FOR CARRYING A SLUNG SHOT. -Heary Randricks and Daniel Hunter were yesterday arrested changed with carrying a siung shot a few days since. The arrested on sympleton of since. These parties were arrested on suspicion of being burgian and some burgiarous instruments were found in theth possession. The evidence, however, was not deems sufficient to warrant the holding of them for trial, and they were discharged. On this last charge they were committed by Judge Welsh for exam-ination.

ANOTHER VICTIM TO RUM .- On Saturday afternoon, a man samed Wm. Moran, who resided at No. 28 Clark-st., attempted self-destruction by jump-ing into the dock foot of Spring-st., N. R. He was,

however, saved from drowning by the exertions of Officer Bogert, of the Eighth Ward, who, perceiving that he was incane, took him to the residence of Dr. Curtis, No. 2: Weester et., who pronounced him laboring un der the effects of an attack of delirium tremens. Suita-ble remesiles were applied, but without effect, and the tim to intemperance breathed his last yesterday rning. He was a native of Ireland, only 31 years of

SUPREME COURT-Special Term .-Before Justice Edwards - George Smith vs. Ann Smith - On motion of Mr. Van Hovenburgh, attorney fo niff, judgment for Divorce for divers acts of Adul-

Supreme Court .- Special Term .-

SUPREME COURT.—Special Ierm.—
Before Judge Edwards.—Decisions.—Henry C. Foster
set. James P. Brooks and others.—Motion to set aside
judgment denied, with \$10 costs.
Cyrus W. Field agt. The Mayor, &c and Jored W. Bell
—Motion to alter decree denied, with \$10 costs.
Robert Edmondson agt. Thomas Edwards.—Motion to
strike out answer as frivolous denied, with \$10 costs.
Rofus Story agt. Wm. Story, and others.—Motion to set
aids default granted, without costs. aride default granted, without costs.

Thes. Cornwell 4c. agt. Isaac Necton-Motion for new

Mayor &c. of New York agt. Duncan P. Campbell-

et al.—Demourer overruled, with leave to defendant to answer in 20 days, on payment of costs. Parid L. Red act John Hanrahan—Motion that answer be made more definite granted, with \$10 costs, to abide the event. Ann T. Clark act Walter Clark—Judgment of divorce. George M. Tracy, et al agt. Edward Kenna, et al.—Mo-tion to dissolve injunction granted, with \$10 costs. Moran agt. Godfrey.—Demurer overruled, with leave to reply, on payment of costs.

Points in the above.

Cornell agt. Nexton, on a verdict for collision—As to the objection taken, if there was a want of proper parties, the defect appeared on the face of the complaint, and should have been taken advantage of by demurrer. (Code, see 144, subdivision 4). It could not be set up in the answer, (R. 8, 147.) What is said in relation to the charge of the Court, "that if the schooner suddenly changed ber direction from the instinct of self-preservation, and from an apprehension on the part of the person who navigated her, caused by such nearness, then son who navigated her, caused by such nearness, then the steamboat would be liable," should be taken in con-nection with another portion of the charge, "that if the steamboat went so near the schooner as to render it don't ful which side she lotended to pass, then the steambost would be liable. There is not sufficient in this or prependerence in the testimony to authorize the Court to set aside the verdict.

to set aside the verdict.

The Mayor, &c. agt Campbell — The plaintiff was not bound by the law of 1846. (the original contract heine bound by the law of 1846, (the original contract being before that) to give 15 days natice of an intention to re

enter.

Moran agt. Godfrey.—A testator has a right to direct
the trustees of his estate to apply the rents and profits
of the real estate to the payment of the principal sum
due on the mortgage. It is in accordance with the

statute and decided in 9 Paigs 107,122.

Tracy sgt. Kenna.—The claim of Foster was upon Kenna slone, and not upon the Briar Creek land or any other special property.

COURT OF COMMON PLEAS .- General Term—Before Judges Ingrahan, Daly and Woodruft.— [Decisions.]—Judgment affirmed, with costs, viz: Wm. Bunker et. al. agt. John W. Latson; Joseph Lynch

Wm. Bunker et. al. agt. John W. Laison; Joseph Lynca agt. Francis Burbage.
Judgment reversed, with costs, viz: Geo. S. Drew agt.
William Pethwell; John Clark and another, agt. Samuel Downing: Catharine Wood agt. Michael Doyle.
Also the following: John Kennedy agt. John Paine.
—Judgment ordered for defendant, with costs.
Joseph Bounty agt. Richard Totten.—Appeal dismissed, with \$10 costs against appellant.
Frederick W. Reimer &c. agt. Charles Nagle.—Order at Chambers modified so as to require the plaintiff to pay the costs of the May term. In other respects affirmed, without costs.

without costs.

John O'Nell agt. Thos. N. Martin, &c.—The order at

John Unet agt. Thos. N. March, AC.—The order at Chambers revoked, with \$10 costs, and defendants or-dered to appear before the Judge at Chambers on such day as he shall, by order direct, for examination. Geo. W. Bassiord agt. Patrick Shields.—Judgment re-duced to \$65 18, and affirmed for that amount, and reversed as to the residue, without costs

Drote agt, Pesiwell.—Where a claim was made for services of Daniel O'Donnell, as a plumber, the said O'Donnell having been bound apprentice to Mr. D., but employed by Mr. P., notwithstanding, notice to that effect, judgment was given in the Justice's Court for Mr. D. for 835. Appeal is made on the ground that although the Indenture stated O'Donnell to be a minor, and he was bound apprentice to Mr. D. by written consent of D. for 8.5. Appeal is made on the ground that actioning the indenture stated O'Donnell to be a minor, and he was bound apprentice to Mc. D. by written consent of his father and mother, the testimony before the Justice showed that he was in fact over 21. Held, that a party has a right to show, after he arrives at age, that the age stated in the indentures is incorrect, and to clain his discharge—and the same can also be shown by a person suce by his master for services. Judgment reversed. Clark et al. agt. Posming.—Held that an assignment of an interest in a claim by one of the plaintiffs to the other, is valid, although no consideration is paid for it, and such assignment is a good defense to an action brought by both plaintiffs against the defendant to recover the claim after the same had been made.

Catherine Hoods, at suit of Doyle, on a lien for work on buildings in Elevent star Held that under the decision made by this Court in the case of Doughty agt. Devilin, it is a good defense on the part of the owner to show that he has paid the contractor all that is due to him. It was shown that the owner had paid the contractor all the twes due, and that the contract was not completed, but abandoned.

\*\*Bonker\*\* Synth Agr. Interes.—For painter's work on the part of Synth agr. Interes.\*\*

some buildings in Thirry fourth-st, where judgment was given for plaintiffs and appeal is made. Held, if the defendant below neglected on the trial to storoduce in ordence a release of the plaintiffs for their claim, he was concluded, and the judgment was final, and could

was concluded, and the judgment was high, and tended the theoretic mode of the transfer of the same and the following the same and the same person. The Richard Totten in the present case is the same name, but not the same person. Held that the proof was sufficient; that the appellant was and that are attempt was made. ot the party below, and that as no attemp

not the party below, and that as no account was most of enforce the judgment against him, he was not required to interpose an appeal.

O'Neil agt. Martin.—Where a judgment is recovered in the Justice's Court, and a transcript filed with the County Clerk, and supplementary proceedings taken thereon, the merits of the original action cannot be inthereon, the merits of the original action cannot be in-quired into, nor can an ebjection be taken to the juris-diction of the Justice that does not appear on the face of the proceedings. An order dismissing supplementary proceedings is an appealable order without security. Bassford agt. Shields.—For basin heads, &c., furnished

bass or age. See as to osan the see a judgment of \$90 was rendered. Held that there being positive testimony of the price at which certain goods were sold, the judgment of the Justice, which was for the market value, founded on the estimates of witnesses, was to be deemed erroneous. It will be seen by an advertisement

In another column that the subscribers' copies of the branti-ful Brunze Medal of Henry Clay are now ready. We would advise all who desire to secure one of the first speci-mens of art and at the same time preserve an endearing memento of the lamented statesman, to subscribe at once, in order to obtain an early copy. [Advertisement.] Once more we take occasion to call

the attention of the public to those gems of Art, the Crayon Daguerreotypes, taken only at M. A. & R. Root's Gallery, No. 363 Broadway corner of Franklin-st. Process patented. Operators are cautioned against any infringement.

## BROOKLYN ITEMS.

TEARING DOWN A BUILDING .- At an early hour on Saturday morning a party of seven menheaded by a man named Bledenberg, proceeded to the corner of Navy st. and Fulton-av., and demolished a small unoccupied frame building. They were arrested by the Police. It appears that the lot is owned by Mr. Bledenburg, and the shantee was put on without his consent, and he consequently took the responsibility of tearing it down, and thus clearing his property of in-

FATAL ACCIDENT BY THE CAVING IN OF AN EMBANEMENT .- On Saturday evening, three brothers, named Knight, were sent by their father to get a cart, load of sand from Bergen Hill. While excavating at the brow of a knoll, the embankment gave way and buried them beneath. Two of them succeeded in crawling out, but the eldest, John, was imbedded to the depth of several feet. It was some time before he was exhumed, when it was found that life was extinct. His parents reside in Court-street, near Hamilton-avenue,

DROWNED .- A lad named Peter Moore was drowned at Bergen's Dock, Gowanus Creek, on Saturday evening, while bathing with some companions. His body was recovered, and an inquest was held yes terday. His parents reside at No. 52 Baltic street.

DIABOLICAL ATTEMPT AT INCENDIAmism.-An attempt was made between 1 and 2 o'clock on Sunday morning, to set fire to the large four-story frame building on Myrtle-av., between Division and Canton-sts., by laying a train of powder from the outer door and leading through the entry to the stairway, under which and at the end of the train a demilohn of camphene was placed surrounded by other inflammable material, which had also been saturated with the fluid. The smoke from the burning substances became so dense that the house was soon filled, and the occupants up stairs being awakened soon ascertained the cause. The fire, fortunately, was confined to a small space and was easily extinguished. The first floor of the building is occupied as a Drinking Saloon, by Messrs. John and Martin Farrell, and the upper portions and basement are occupied by eight families, and probably 30 indi-

viduals. Officer Leonard and Assistant Capt. Call, of Fourth Ward Police, arrested two of the occupants on the assertion of a woman who says she saw one of them with a demijohn corresponding with the one found under the stairway on the evening previous, and represented that it contained good Irish whisky. They re ceived a partial examination before Justice King, yesterday morning, and are committed for a further hearing.

SENTENCE .- In the Court of Sessions. on Friday, John Coch, convicted on an indictment charging him with using a slung shot, was sentenced to the State Prison for one year.

#### WILLIAMSBURGH ITEMS.

THE FUNERAL OBSEQUIES .- The arrangements for Williamsburgh for its participation in the solempities of Tuesday, in New-York, on the occasion of Mr. Clay's funeral, were fully made at the meeting on Saturday night last. The Whig General Committee have engaged the new omnibus " "76," of Johnson and Hudson's line, and which will accommodate about forty persons, for that occasion. It will be drawn by ten horses appropriately bedecked with tokens of grief. To what extent the citizens of Williamsburgh will unite is not yet known. The order of Free Masons will generally be present.

A MURDEROUS DESPERADO .- A dissipated man, named William Grant, who was formerly employed by Mr. Edwin Roberts, was discharged from his service for his exceeding bad conduct, on accounof which the life of himself and family was threatened by Grant. Mr. Roberts caused Grant to be sent to the Penitentlary for 6 months, and after he came out he renewed his threats, and complaint was again made against him, but on his promise to leave Williamsburgh he was allowed to go to sea. He returned, however, and on Friday last he met Henry C. Roberts, a lad, son of Mr. Roberts above spoken of, in Grand st., and made a thrust at his neck with a knife. The blow took effect just back of his ear, a little too high upon his head to prove fatal. Officers were put on the alert for him, and on Saturday he was arrested by Officer John McElroy, while lurking about in the vicinity of Mr. Roberts' resid ence. He remained in the cells over Sunday and wil come before the justice to day for an examination.

THE LIQUOR TRAFFIC ON SUNDAYS .-At the meeting of the liquor-sellers on Friday night, it was determined, by most or all of them, to close their places on Sunday during the hours of Divine service,-In some instances it is contemplated to close through the day on the Sabbath.

THE BUILDERS .- Owing to the united efforts of the Laborers for an advance of wages, the Builders have decided to act also with combined influence upon the subject of laborers' wages: and they have called a meeting for this evening.

THE LABORERS .- The Laborers hold a meeting to night, to forward their cause of an advance in wages. No further difficuly has occurred on their

STEALING BUTTER, AGAIN .- The girl, Mary Ann Burke, lately caught at stealing pails of butter, was sent to the Poor-House, in the hope that she would be provided with a proper place. On Friday last, she was again caught at the old business of stealing butter and will be properly taken care of.

### JERSEY CITY ITEMS.

THE FUNERAL ON TUESDAY .- On Saturday evening, pursuant to a call of his Hopor, Mayor Manners, nearly all of the Aldermen of the City met at the Clerk's office, to make the proper arrangements to participate in the funeral demonstration in New-York, on Tuescay, in favor of the memory of the lamented Mr. Clay. After a discussion of the subject the followgentlemen were appointed a special Committee to wait upon the authorities of New-York this morning, and make the necessary preparatory arrangements : Narine, Ald. Miller, and Ald. Low.

The Hudson Brigade, Gen. Wright, has received an invitation from Gen. Senford, to participate in the solemnities of the day, and will, it is expected, very generally turn out.

The Order of Free Masons will attend in honor of the deceased, who was a member of that ancient fraternity-

Mr. Cass .- Hon. Lewis Cass, one of the Senate Committee having in charge the remains of Mr. Clay, reached Jersey City on Friday evening last, and remained at the American Hotel over night. On Saturday morning he resumed his journey to Washington from Ashland.

# HOBOKEN ITEMS.

THE FUNERAL. - Our citizens, generally are making active preparations for observing the obs quies of Mr. Clay. The whole of our military companies will parade and subsequently join the procession in New-York. One evening last week, the Whig Exequitive Committee and the Executive Committee of the Scott and Graham Club met and passed proper resolutions, the whole of which will be promptly carried in effect on Tuesday. Cannon will be fired every five minutes during the procession, &c.

MELANCHOLY ACCIDENT FROM THE CARPLESS USE OF FIRE ARMS. -On Saturday afternoon four boys named George H. Cumberland, Thomas Leddy, Robert Reid and Thomas H. Cuningham, came over from the city to shoot birds. They went to the foot of Bergen Hill and being unsuccessful in finding game they began to play, as they stated-" as they do in the theater." It appears that Loddy had once or twice before inserted the barrel of a pistol he had, in the muzzle of Cumberland's gun, and on repeating this, both pieces were discharged and Leddy received the whole of the load, which went through his abdomen from side to side, making two holes about two inches in diameter, and from which his intestines were protruding.

Two of the boys started at once for help, the other remained to attend the wounded boy. He was taken to the house of Mr. Apheus Pitts, who, with his kind lady, did everything in their power for his relief. Dr. Elder, the County Physician, was there almost as soon as the accident occurred, but he saw at once nothing could save him, the wound being mortal, The following conversation took place between de-

cased and Dr. Elder : Da.-What is your name?

A .- Thomas Leddy. Dr.-Where do you reside? A .- At No. 36 Henwick at. Da,-Do you think that you will recover?

A .- I think I will. Du.—Thomas, it is a painful task to perform, yet I will not deceive you. Therefore I now admonish you that you have but a few hours to live. You cannot re-

A .- Then send for my mother.

Da -A messenger has left to inform her. Du,-I wish to ask you a few questions relative to this accident, and, in view of speedy death, I trust you will tell me nothing but the truth.

A.—I will tell you all. It was my fault. It was an ac

cident. I put the muzzle of my pistol into the barrel of bis gun and it went off. George Cumberland is the one which did it. He lingered in great agony till 8 o'clock yesterday

morning, when death relieved him of his sufferings. His mother, (who is a widow) and other members of his family were with him. An inquest was held by justice Browning, and the evidence showing it was purely accidental, the following verdict was rendered:

"That Thomas Leddy came to his death by the accidental discharge of a gun in the hands of George H. Cumberland, on the 17th day of July, 1852." Immediately after the occurrence the other boys were

taken in custody by officer Francis, but they were discharged after the inquest. None of them were over 15 years of age. The deceased was in his lith year. He was buried yesterday from the house of his uncle, in Fulton-st.

Collision .- On Saturday evening as the steamer Phoenix was approaching her slip, she came in contact with the sloop Ann Eliza, loaded with lumber, from Troy. The collision was severe, and but for the buoyancy of the cargo the sloop would have sunk at once. The steamer towed her on the flats, where she sunk. The affair was purely accidental.

MARRIED. At Mach asport, Me., July 8, Capt. JACOB BARTER, to Mise MARGARAT K. GATES.
July S. 1902, by Rev. Henry Ward Beecher, at Brooklyn, EDWIN
R. CHOCKER to Miss MARGARET RHODES, of South Bend, Itel.
A: San Francisco, Californics, Mr. FITEPATRICK to Mrs.
ELIZA W. FARNHAM, formerly Matrice of Sing Prison. th Sonie Cruz. California, on the 23d of March last, by George Powers, Feat, Interesty of Bucks Co., Pa., Mr. RICHARD C. KIRHY to Mass GEORGIANA ERCCE.

DIED. At his residence, No. St. Hester at., July 18, 1802, JOHN B. CORB, aged 68 years, a native of Stonington, Comm.

The relatives and friends of the family are requested to attend has toneral from No. St. Hester at., on Montay at 4 o'clock P.M., without further invisation. He will be taken to Greenwood.

On Saunday evening, July 17, Mr. PETER VAN NEST, aged 49 years.

The relatives and friends of the family, and those of his brisher.

A. R. Van Neet, are respectfully mysted to attend the finneral this [Monday] attendon, at 3% o'clock, from his late residence, No. 98 West 17th 4.t., unthout further invitation. ., without firther invitation.
Imposing, July 18, of consumption, HENRY WARD
the 25d year of his age.
1 Montay, July 19, at 3 o'clock P.M., from his late
o, 200 4th-av. His friends and those of the family, are
myted to act.

respectfully awared to attend and those of the family, are in Brooklyn, July 18, State without further notice. In Brooklyn, July 18, State ADFLAIDE, daughter of Wm. L. Tomers for the family, are ind Sarah P. Hinde, aged 11 years 2 mounts and 11 days.

Found from Sm. 24 Schermerheam et., at 4 o'clock this afternoon. In Brooklyn, July 18 respectfully involved to attend to the family and the firm of the family are invited to attend to on of Henry 7 and Edita Booklyn, 189, the family are invited to attend his function of the family are invited to attend his function of the family are invited to attend his function of the family are invited to attend his function of the family are invited to attend his function of the family are invited to attend his function. (In Saturday morning, July 17, Mrs. Mahne & Bearlinas place, Or Saturday morning, July 17, Mrs. Mahne & murt-st, Breesklyn.
On Sararday morning, July 17, Mrs. MARY ELIZABETH, wife
Alex. T. Masson, in the Endysear of her says.
Her relatives and foreids are respectfully invited to attend her
neard this (Monday) inference, at 20 cycleck, from the residence of
er mother in law, Mrs. Ann Masson, No. 200 South Second st.,

William-burgh.
In Albury, on Friday morning, July 16, of concumption, Mrs., JANE M. FORTEN, of this city, in the 23d year of the san.
Asserts or via Live Guare Gova.—At his residence, Hartford, Orford Co., Mr., on Sunday, July 11, SETN STURTEVANT, in the 601 year of his are.

the Souday morains. July 18, at her residence, No. 2 Miles, 31st st., West of Sth av., Mrs. ELEA ISASELLA, who late John Searlett, in the S2d year of her age.
Further particulars in to morrow's paper.

#### COMMERCIAL MATTERS.

Sales at the Stock Exchange ... July 17.

| 1,500 Observed | 1,700 According to | 100 Accordi 

| SECOND BOARD. | SECOND BOARD PHILADELPHIA SALES OF STOCKS .- Saturdy

PHILA DELPHIA SALES OF STOCKS.—Salurdy, 2nd pt. 1. Free Based + 1.000 Leigh va. 02 \( \frac{1}{2} \) \, \text{2.500 Read.} \( \text{ R. 64.} \) \( \frac{7}{2} \) \, \text{ cash } \( \text{ 875} \), \( \frac{1}{2} \) \( \text{ cash } \) \( \text{ 875} \), \( \text{ 2.500 Pc.} \) \( \text{ 2.600 Pc.} \) \( \text{ 2.600

SATURDAY, July 17-P. M. The tendency of the Stock market is still downward, although the decline is very moderate, and the usual duliness of the season is observable. Many of the leading speculators are away from tows, and others are preparing to leave. Such, however, to the ease in the market and the facility of carrying stock that no important change in prices will probably take place until the renewal of activity next mouth, when an advance is very generally anticipated in the whole list, and especially in the speculative stocks. At the Second Board the market was generally inactive and heavy Reading was an exception and sold at 87%, buyer thirty dividend off. Erie was also steady at 8719, short time. Federal and State Stocks are firm and in demand.

In Exchange there is not much movement, but the markets are firm. Sterling is 10% @ 10% for best names. France, 5 174 25 15.

In Freights there is no change To Liverpool, engagements were made at 4 78 4 4 5 for Grain, 12d for Flour, 14d, for Cotton; 30 tes Red Oil, 15/. To London, within a few days, 500 tes, and bbls. Provisions, part at 3/3, and 2/3d for tes. and bbls.; 15 bbls. Sperm Oil, 20/; 1,500 bbls. Flour, 1/74/201/9 5900 do. Oil Cake, and 600 Resin on private terms; 10,000 light Pipe Staves, 50/; and 10,000 by each succeeding packet of the same line for twelve months, at the same rate. To Glasgow, some 400 bales Cotton was taken at 3-16d; and 150 bbls. Pork, 2/. To Rotterdam, 50 tuns measurement goods, 20/. To Antwerp, the St. Louis has three fourths of her cargo at 1/9 for Restn, % of a cent for Cotton, 14 for Coffee, and 20/ for Ashes, Mahogany and Logwood. To Newcastle, a Mecklen berg brig engaged a cargo Naval Stores at 2/6; to London, a Swedish brig, Naval Stores at 2/6; to Windward Islands, two brigs at 45@50c, W bbl.; to San Juan del Sud, an American ship, Coal, at \$13; to London from Bic, an American at 80/ for Deals; to Hull from Schediac, a Norwegian bark at 80/; to London from Quebec, a Br. bark at 29/ P load for Timber from St. John to Hull, Deals at 75/; an American ship to Liverpool at 63/9; a Br. bark to Hull, 72/6; a Br. ship to Belfast at 70 ; to New-York from Jacksonville, a schooner with Flooring Boards at \$7 50; to Porto Rico from Boston, and back to Boston or New-York, Br. brig of 130 tuns at \$1,100, port charges paid; to Cape de Verde, Rio Janeiro, and back to the United States, two barks at \$1 P bag for Coffee home; and four or five ships

from the Pacific with Guano at \$15 a \$16. There is no change in the Money market. The supply is abundant on call at 425 P cent. and first class short paper goes at 5 P cent., with occasionally a lower rate. Many loans, however, are making

at 627 P cent. on good securities. The Albany and Schenectady Railroad Company have declared a dividend of 4 ? cent. for the

six months ending July 31. 

Total \$39,193
Dividend of 4 P cent. 41,000

were \$120,000—showing an increase on six months business, in favor of 1852, of \$22,000, which is nearly 20 F cent.

The Washington took only \$531 in gold to-day, and \$10,380 in silver. The entire shipments of the week have been \$652,788, while the receipts are over two millions. The aggregate exports of the year thus far are \$14,411,000.

The Board of Brokers will adjourn from Monday to Wednesday, and we understand that the Banks will remain open only an hour or two on Tuesday.

By an unofficial statement of the condition of the Banks of this City on the 26th June, published in The Journal, it appears that they are con. siderably extended since the last report. The figures

Lana 146
Discounts.
June 26, '52, \$81,073.314
\$59,108,479
\$12,156,116
\$2,307
March 27,'52
71,550,154
43,415,125
9,716,076
7
Dec 20, '51, 63,483,333
\$6,646,917
\$6,02,465
March 19,'51
\$61,166,072
\$25,000,522
7,355,57

The increase in loans exceeds ten milly . . Lil as unusually large portion of the loans it is said are on call and immediately available. The deposits these increased seven millions, and are nearly doubte stat they were in March, 1851. The specie exceeds twelve dillions, and is probably two millions more, and making, with the amount in the Sub-Treasury, \$12,00,000. The circulation has increased about a million and a quarter. Notwithstanding the low rates of interest which have